



Forty-year-old shoreland development standards are being updated to **improve lake and river protection**, provide **more flexibility for property owners**, and **reduce workloads for counties**. The minimum standards are just one of many tools Wisconsin uses to protect critical shoreland areas, but they are an important tool because they provide a base level of protection for lakes and rivers.

UNDER THE PROPOSED IMPROVEMENTS

Property owners can:

- maintain and repair your homes without the current spending limits.
- remodel or rebuild in many cases in exchange for taking actions to reduce runoff and restore habitat.
- decide if and when you make changes to your property that might trigger other requirements.

Water quality & fish and wildlife habitat benefit by:

- reduced water runoff, meaning less fertilizer, soil and chemicals go into our lakes and rivers.
- maintenance of native plants and trees in the shoreland, helping clean pollutants from water runoff and providing critical habitat.
- more natural landscaping that better cleans runoff and provides habitat.

Counties benefit by:

- applying simpler standards.
- using the tools that work for their local communities.

The standards apply only to land in unincorporated areas -- those areas outside city and village boundaries. *Under the proposed changes to these standards, owners of existing homes would not be affected unless they remodel their home, expand it, or make a major change in how they manage their property, like clearing trees or paving new areas.*

The state Natural Resources Board approved the proposals June 24, 2009, but lawmakers returned them to the DNR to make more changes. Subsequently, DNR, working with stakeholder groups, has made two key changes to the adopted rules, and the board will consider those changes Nov. 13, 2009.

Building setbacks and minimum lot sizes stay the same

- ☐ Structures must be at least 75 feet from the ordinary high water mark.
- ☐ Minimum lot size would remain 10,000 square feet with 65 feet of frontage for lots served by sanitary sewers and 20,000 square feet and 100 feet of frontage for lots not served by sanitary sewers.



Restoring a manicured shoreland, top photo, to a more natural state, bottom photo, as these Namekagon Lake property owners did, can reduce water runoff entering the lake and improve habitat.

Rules on legal nonconforming structures made clearer and more flexible

Legal nonconforming structures, those built before their counties adopted shoreland standards and now closer to the water than standards allow, could more easily be maintained and repaired. The proposal would:

- ☐ Eliminate dollar limits on the maintenance and repair of legal nonconforming structures for shoreland zoning.
- ☐ Allow vertical expansion of buildings at least 35 feet from the water through county permit when the owner takes offsetting steps like reducing water runoff or restoring native plants.
- ☐ Set height restrictions for those portions of buildings within the first 75 feet from the water's edge.

New focus on protecting water quality seeks to limit runoff and boost native vegetation

Studies have shown that more hard surfaces – roofs, driveways, decks etc – mean more water running off and less plants to filter out fertilizer, soil, and other contaminants in runoff before it enters lakes. The updated rule proposals focus on water quality by limiting the amount of hard surfaces on a property and maintaining and restoring native plants, particularly in the first 35 feet next to the water. That area is critical for filtering out pollutants in runoff, anchoring soil in place, and providing habitat for loons and other treasured wildlife.

The rules set clear limits on development and vegetation management to protect the critical habitat within 35 feet of the ordinary high water mark.

Landowners proposing to increase hard surfaces, known as “impervious surfaces,” to more than 15 percent of the total property area within the shoreland zone must get a permit and take offsetting actions like installing a rain garden or restoring native plants.



Loons and eagles are just two of the animals that would benefit by the proposed improvements to the shoreland protection standards.

Existing developments where more than 15 percent is already a hard surface can keep what they have; if they want to have more than 15 percent of their lot in hard surfaces, however, they will need to take offsetting actions, or "mitigate" when hard surfaces comprise between 15 and 30 percent of their lot. A county may not permit a property owner's proposal to increase total impervious surface in the shoreland to more than 30 percent; an applicant must seek a variance for such a proposal.

Such actions to reduce runoff and restore habitat can help property owners and all Wisconsin residents enjoy the best that lakes and rivers have to offer. Cleaner water, better fishing, and more wildlife viewing and scenic beauty -- for now and for generations to come.

To read more about the proposed rule, visit:

<http://dnr.wi.gov/org/water/wm/dsfm/shore/news.htm>

